

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

MONTERRIOUS HARRIS,

Plaintiff,

vs.

Case no: 2:23-CV-2058-JTF-tmp

CITY OF MEMPHIS,
EMMITT MARTIN III, DESMOND MILLS, JR.
JUSTIN SMITH, DEMETRIUS HALEY,
TADARRIUS BEAN, and JOHN DOES 1-4,
INDIVIDUALLY, AND
IN THEIR OFFICIAL CAPACITIES
AS CITY OF MEMPHIS LAW
ENFORCEMENT OFFICERS,

Defendants.

STATUS REPORT OF DEFENDANT JUSTIN SMITH

COMES NOW, Defendant Justin Smith, individually, through Counsel, and files this status report, noting the following:

1. On August 28, 2023, the Court granted a stay of this matter pending resolution of the criminal proceedings against the individually named Defendants. (Doc. 53, Order Staying Proceedings, Page ID 304-305).
2. Pursuant to that Order, Defendants were ordered to file a Report and Status of the pending criminal proceedings by January 31, 2024, and every six (6) months thereafter until the Stay is lifted. (Id.).
3. Defendant Justin Smith is still involved as a party in the pending state court criminal case. It has not been resolved and is not currently set for trial.

4. Since the issuance of the stay in this matter, Defendant Justin Smith has also been criminally indicted in the United States District Court for the Western District of Tennessee, Western Division at Memphis, Case Number 2:23-cr-20191-MSN.
5. This federal criminal case is set for trial on May 6, 2024.
6. Counsel for Justin Smith in this case has been monitoring the criminal proceedings and has spoken with Justin Smith's counsel in the criminal proceedings, Martin Zummach.
7. There are no further dates or other matters set of which Defendant Justin Smith is aware as of this filing.

Respectfully Submitted,

s/ Mary Elizabeth McKinney
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CERTIFICATE OF SERVICE

I, Mary Elizabeth McKinney, hereby certify that on January 31, 2024, I filed a copy of the foregoing with the Court via the Court's ECF system, and that upon filing, a copy will be sent via the Court's ECF system to all registered parties in this case.

s/ Mary Elizabeth McKinney